

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMUEL JAMES KENT,
Plaintiff,

v.

OFFICE OF THE INSPECTOR
GENERAL OF THE UNITED STATES,
Defendant.

No. 2:21-cv-0296 JAM AC PS

ORDER

Plaintiff, who is proceeding in pro se, has filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. ECF No. 2.

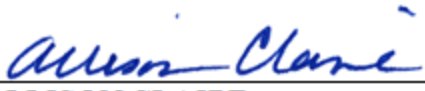
The federal venue statute provides that “[a] civil action in which a defendant is an officer or employee of the United States or any agency thereof acting in his official capacity or under color of legal authority, or an agency of the United States, or the United States, may, except as otherwise provided by law, be brought in any judicial district in which (A) a defendant in the action resides, (B) a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (C) the plaintiff resides if no real property is involved in the action.” 28 U.S.C.A. § 1391(e)(1).

In this case, plaintiff resides in Portland, Oregon. The defendant is a United States Agency located in Washington, D.C. ECF No. 1. Based on the contents of the complaint, no real

1 property is involved in the suit, and there is no indication that any event occurred within the
2 Eastern District of California. ECF No. 1 at 8. Therefore, plaintiff's claim should have been filed
3 in the United States District Court for the District of Oregon. In the interest of justice, a federal
4 court may transfer a complaint filed in the wrong district to the correct district. See 28 U.S.C. §
5 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

6 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United
7 States District Court for the District of Oregon.

8 DATED: February 18, 2021

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10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE
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